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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HOANG, SON T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/573,580	Applicant(s) SAKOH ET AL.	
	Examiner SON T. HOANG	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Amendment

1. **Claims 1, 5-10, and 14-18** are amended.

Claim 19 is newly added.

Claims 1-19 are pending.

Applicant's amendment to claims 17-18 to state "computer readable medium" although may have overcome the 101 rejection, it provided inconsistency and thus lack of antecedent basis with the specification published version paragraphs 0212 and 0222 wherein the claims should in fact recite "computer readable storage medium" since that's what the specification covers.

Response to Arguments

2. Applicant's arguments towards **claims 1-18** have been fully considered but they are not persuasive.

Applicant argues towards **independent claims 1, 10, 15-18** regarding the fact that the combination of Nakayama and Kuroda does not teach or disclose the step of "*controlling reproduction of the contents data based on the content attributes information*".

The Examiner respectfully disagrees with the above remarks. Accordingly, Nakayama teaches reproducing data content based on the control files acquired from both auxiliary storage device and content server (*Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a*

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streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0012]).

In view of the above, the Examiner contends that all limitations as recited in the claims have been addressed in this Action. Hence, Applicant's arguments do not distinguish over the claimed invention over the prior art of record.

For the above reasons, the Examiner believed that the rejections of this Office action are proper.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a

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later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 1, 10, and 15-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (*Pat. No. US 7,117,253, filed on November 5, 2002; hereinafter Nakayama*) over Kuroda (*Pat. No. US 6,311,011, published on October 30, 2001*).

Regarding **claim 1**, Nakayama clearly shows and discloses a contents acquisition method (*Figures 9-10*) comprising:

transmitting file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content, [0035]. Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c, [0066]-[0067]*);

receiving the acquisition/use file corresponding to the file request information (*The request relaying means 1c then acquires the server-side control file 2ba managed by the server 2a with respect to which the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b, [0035]*);

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storing the acquisition/use file received (*both the sever-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer,* [0035]);

determining if contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database or not (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb,* [0034]);

transmitting contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined that the contents identification information is not registered in

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the database (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2*);

receiving the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus (*In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046]*);

storing the contents identification information as in-storage contents identification information when it is determined that the contents identification information is registered in the database or when the reception of the contents data is completed (*Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected*

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in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);

transmitting attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the storage of the in-storage contents identification information is completed (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]);*

receiving the contents-attributes information corresponding to the attributes request information (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]);*

storing the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information (*Figure 9 shows that in step S11, the server-side*

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control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]];

registering the contents data and the contents attributes information in the database (The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]); and

controlling reproduction of the contents data based on the content attributes information (Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0012]).

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database.

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However, Kuroda discloses the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database (*the video recorder/player records all of content signals in the storage device 105 via the temporary storage device 103. All of content signals are recorded to the temporary storage device 103. After completion of recording all of content signals to the temporary storage device 103, the content signals are copied into the storage device 105. After the video recorder/player has finished recording to the temporary storage device 103 at STEP S301, the video recorder/player moves the content signals from the temporary storage device 103 into the storage device selected at STEP S107 (STEP S302). The content signals recorded to the temporary storage device 103 may be deleted after completion of or in parallel with copying the content signals to the selected storage device, [Column 6, Lines 36-52]*).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Kuroda with the teachings of Nakayama for the purpose of providing a fast and efficient way to access multimedia contents by facilitating the use of an electronic program guide ([Abstract] of Kuroda).

Regarding **claim 10**, Nakayama clearly shows and discloses an attributes information providing method to be used in a situation where contents data are already registered in a database or the reception of the contents data

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corresponding to the contents providing address in the acquisition request file transmitted from an external apparatus is completed after externally storing an acquisition/use file containing a contents providing address corresponding to the acquisition request for contents data to an external apparatus and an attributes information providing address and before requesting the contents data corresponding to the contents providing address (*Figures 9-10*), the method comprising:

receiving attributes request information requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information transmitted in a condition where the contents identification information corresponding to the contents providing address is stored as in-storage contents identification information (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]*); and

externally transmitting the contents attributes information of the contents data corresponding to the in-storage contents identification information in response to the attributes request information received (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server*

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which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]); and

controlling reproduction of the contents data based on the content attributes information (Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0012]).

Nakayama does not explicitly disclose the step of temporarily storing the received files/information.

However, Kuroda discloses temporarily storing the received files/information (*the video recorder/player records all of content signals in the storage device 105 via the temporary storage device 103. All of content signals are recorded to the temporary storage device 103. After completion of recording all of content signals to the temporary storage device 103, the content signals are copied into the storage device 105. After the video recorder/player has finished recording to the temporary storage device 103 at STEP S301, the video recorder/player moves the content signals from the temporary storage device 103 into the storage device selected at STEP S107 (STEP S302). The content signals recorded to the temporary storage device 103 may be deleted after*

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completion of or in parallel with copying the content signals to the selected storage device, [Column 6, Lines 36-52]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Kuroda with the teachings of Nakayama for the purpose of providing a fast and efficient way to access multimedia contents by facilitating the use of an electronic program guide ([Abstract] of Kuroda).

Regarding **claim 15**, Nakayama clearly shows and discloses a contents acquisition apparatus (*Figures 1-3*) comprising:

a file request information transmission section configured to transmit file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content, [0035]. Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c, [0066]-[0067]*);

a file reception section configured to receive the acquisition/use file corresponding to the file request information transmitted by the file request information transmission section (*The request relaying means 1c then acquires the server-side control file 2ba managed by the server 2a with respect to which*

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the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b, [0035]);

a storage section configured to store the acquisition/use file received by the file reception section (*both the sever-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer, [0035]);*

a determination section configured to determine if the contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database or not (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]);*

a contents request information transmission section configured to transmit contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined by the determination section that the contents identification information is not registered in the database (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2;*

a data reception section configured to receive the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus by the contents request information transmission section (*In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046];*

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a contents identification information storage section configured to store the contents identification information as in-storage contents identification information when it is determined by the determination section that the contents identification information is registered in the database or when the reception of the contents data is completed by the data reception section (*Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*

a attributes request information transmission section configured to transmit attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the storage of the in-storage contents identification information by the contents identification information storage section is completed (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085];*

a attributes information reception section configured to receive the contents attributes information corresponding to the attributes request

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information transmitted by the attributes request information transmission Section

(After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]);

a contents attributes identification information storage section configured to store the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information by the attributes information reception section *(Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*

a registration section configured to register the contents data and the contents attributes information in the database *(The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means*

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2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]); and

a content section configured to control reproduction of the contents data based on the content attributes information (Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0012]).

Nakayama does not explicitly disclose storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database.

However, Kuroda discloses storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database (*the video recorder/player records all of content signals in the storage device 105 via the temporary storage device 103. All of content signals are recorded to the temporary storage device 103. After completion of recording all of content signals to the temporary storage device 103, the content signals are copied into the storage device 105. After the video recorder/player has finished recording to the temporary storage device 103 at STEP S301, the video recorder/player moves*

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the content signals from the temporary storage device 103 into the storage device selected at STEP S107 (STEP S302). The content signals recorded to the temporary storage device 103 may be deleted after completion of or in parallel with copying the content signals to the selected storage device, [Column 6, Lines 36-52]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Kuroda with the teachings of Nakayama for the purpose of providing a fast and efficient way to access multimedia contents by facilitating the use of an electronic program guide ([Abstract] of Kuroda).

Regarding **claim 16**, Nakayama clearly shows and discloses an attributes information providing apparatus to be used in a situation where contents data are already registered in a database or the reception of the contents data corresponding to the contents providing address in the acquisition request file transmitted from an external apparatus is completed after externally and storing an acquisition/use file containing the contents providing address corresponding to the acquisition request for contents data to an external apparatus and before requesting the contents data corresponding to the contents providing address (*Figures 1-3*), the apparatus comprising:

an attributes request information reception section configured to receive attributes request information requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage

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contents identification information transmitted in a condition where the contents identification information corresponding to the contents providing address is stored as in-storage contents identification information (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085];*

an attributes information transmission section configured to externally transmit the contents attributes information of the contents data corresponding to the in-storage contents identification information in response to the attributes request information received by the attributes request information reception means (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099];*

a content section configured to control reproduction of the contents data based on the content attributes information (*Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming*

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content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0012]).

Nakayama does not explicitly disclose temporarily storing the received files/information.

However, Kuroda discloses temporarily storing the received files/information (*the video recorder/player records all of content signals in the storage device 105 via the temporary storage device 103. All of content signals are recorded to the temporary storage device 103. After completion of recording all of content signals to the temporary storage device 103, the content signals are copied into the storage device 105. After the video recorder/player has finished recording to the temporary storage device 103 at STEP S301, the video recorder/player moves the content signals from the temporary storage device 103 into the storage device selected at STEP S107 (STEP S302). The content signals recorded to the temporary storage device 103 may be deleted after completion of or in parallel with copying the content signals to the selected storage device, [Column 6, Lines 36-52]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Kuroda with the teachings of Nakayama for the purpose of providing a fast and efficient way to access multimedia contents by facilitating the use of an electronic program guide ([Abstract] of Kuroda).

Regarding **claim 17**, Nakayama clearly shows and discloses a contents acquisition program (*Figures 1-3*) for causing an information processing apparatus to execute:

transmitting file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content, [0035]. Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c, [0066]-[0067]*);

receiving the acquisition/use file corresponding to the file request information (*The request relaying means 1c then acquires the server-side control file 2ba managed by the server 2a with respect to which the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b, [0035]*);

storing the acquisition/use file received in the file reception step (*both the sever-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer, [0035]*);

determining if the contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database

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or not (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]*);

transmitting contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined that the contents identification information is not registered in the database (*The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of*

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comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2);

receiving the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus (*In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046]);*

storing the contents identification information as in-storage contents identification information when it is that the contents identification information is registered in the database or when the reception of the contents data is completed (*Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);*

transmitting attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the storage of the in-storage contents identification information is completed (*Figure 9 shows that at Step S15 the version number of the local file detected in Step*

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S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]);

receiving the contents attributes information corresponding to the attributes request information (After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]);

storing the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information (Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);

registering the contents data and the contents attributes information in the database (The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the

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delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]); and

controlling reproduction of the contents data based on the content attributes information (Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0012]).

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database.

However, Kuroda discloses the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database (*the video recorder/player records all of content signals in the storage device 105 via the temporary storage device 103. All of content signals are recorded to the temporary storage device 103. After completion of recording all of content signals to the temporary storage device 103, the content signals are copied into the storage device 105. After the video recorder/player has finished recording to the temporary storage device 103 at*

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STEP S301, the video recorder/player moves the content signals from the temporary storage device 103 into the storage device selected at STEP S107 (STEP S302). The content signals recorded to the temporary storage device 103 may be deleted after completion of or in parallel with copying the content signals to the selected storage device, [Column 6, Lines 36-52]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Kuroda with the teachings of Nakayama for the purpose of providing a fast and efficient way to access multimedia contents by facilitating the use of an electronic program guide ([Abstract] of Kuroda).

Regarding **claim 18**, Nakayama clearly shows and discloses a computer-readable medium encoded with an attributes information providing program to be executed by an information processing apparatus in a situation where contents data are already registered in a database or the reception of the contents data corresponding to the contents providing address in the acquisition request file transmitted from an external apparatus is completed before externally and storing an acquisition/use file containing the contents providing address corresponding to the acquisition request for contents data to an external apparatus and after requesting the contents data corresponding to the contents providing address (*Figures 1-3*), the program comprising:

receiving attributes request information requesting contents attributes information for altering the attributes of the contents data corresponding to the in-

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storage contents identification information transmitted in a condition where the contents identification information corresponding to the contents providing address is stored as in-storage contents identification information (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]*); and

externally transmitting the contents attributes information of the contents data corresponding to the in-storage contents identification information in response to the attributes request information received (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]*); and

controlling reproduction of the contents data based on the content attributes information (*Based on the acquired control files 14a and 24a, the local proxy server determines whether or not a streaming content 14c in the auxiliary storage device 14 is the latest one. If the streaming content is the latest one, the local proxy server reads out this streaming content from the auxiliary storage*

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device 14; otherwise it acquires, via the Internet 30, a streaming content 24b stored in the server computer 20, [0012]).

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information.

Kuroda discloses the video recorder/player records all of content signals in the storage device 105 via the temporary storage device 103. All of content signals are recorded to the temporary storage device 103. After completion of recording all of content signals to the temporary storage device 103, the content signals are copied into the storage device 105. After the video recorder/player has finished recording to the temporary storage device 103 at STEP S301, the video recorder/player moves the content signals from the temporary storage device 103 into the storage device selected at STEP S107 (STEP S302). The content signals recorded to the temporary storage device 103 may be deleted after completion of or in parallel with copying the content signals to the selected storage device ([Column 6, Lines 36-52]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Kuroda with the teachings of Nakayama for the purpose of providing a fast and efficient way to access multimedia contents by facilitating the use of an electronic program guide ([Abstract] of Kuroda).

6. **Claims 2-5, and 11-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (*Pat. No. US 7,117,253, filed on November 5,*

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2002; hereinafter Nakayama) over Kuroda (Pat. No. US 6,311,011, published on October 30, 2001), and further in view of Ireton (Pub. No. US 2002/0077984, published on June 20, 2002).

Regarding **claims 2**, and **11**, Nakayama, as modified by Kuroda, does not disclose the contents attributes information includes right of use information that makes the contents data usable.

However, Ireton discloses the contents attributes information includes right of use information that makes the contents data usable (*receiving 405 media content (e.g., music, art, books) and identifying 410 rights to use associated with the media content. The rights to use may be embedded in the media content or otherwise associated with the media content. Such rights to use can specify, for example, the number of copies that can be available for playback at any given time. In response to no rights to use being identified, the process may include assigning 415 default rights to use to the media content, [0066]*).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Ireton with the teachings of Nakayama, as modified by Kuroda, for the purpose of enabling protected media content to be shared between playback devices using the rights associated with the media contents ([Abstract] of Ireton).

Regarding **claims 3**, and **12**, Ireton further discloses the contents attributes information includes right of use information that makes the contents data reproducible (*The process also includes explicitly or implicitly transferring*

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425 a number of the rights to use to desired locations. For example, one location (e.g., playback device) might receive a single right to use, while another playback location (e.g., digital media server) receives four rights to use. Note that a number of the rights to use may be provided to a secure storage device for future distribution purposes. Further note that the distribution of the actual media content can be separate from the distribution of rights to use that media content, [0067]).

Regarding **claims 4**, and **13**, Ireton further discloses the contents attributes information includes right of use information for increasing the number of times of copying the contents data stored in the storage medium to other storage mediums (*The process also includes explicitly or implicitly transferring*
425 a number of the rights to use to desired locations. For example, one location (e.g., playback device) might receive a single right to use, while another playback location (e.g., digital media server) receives four rights to use. Note that a number of the rights to use may be provided to a secure storage device for future distribution purposes. Further note that the distribution of the actual media content can be separate from the distribution of rights to use that media content, [0067]).

Regarding **claim 5**, Nakayama further discloses temporarily storing acquisition start information for starting acquisition of the contents data before the transmitting file request information (*Figure 9 shows step S1 as initializing*

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information retained during the previous process before a request is communicated, [0070]).

7. **Claims 6-9**, and **14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (*Pat. No. US 7,117,253, filed on November 5, 2002; hereinafter Nakayama*) over Kuroda (*Pat. No. US 6,311,011, published on October 30, 2001*), and further in view of Chun (*Pub. No. US 2004/0054650, filed on June 20, 2003*).

Regarding **claim 6**, Nakayama does not disclose the limitations of this instant claim.

However, Chun discloses:

determining if the acquisition start information is temporarily stored or not when a communicable state is restored from a break of the communication connection with the external apparatus (*Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]). When the file downloading apparatus 200 starts the user request download procedure, the CPU 230 of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401, [0036]);*

determining if the in-storage contents identification information is temporarily stored or not when it is determined that the acquisition start information is temporarily stored (*The download status checker 250 may obtain*

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the download status information from the memory 240 or from its own storage 250a. In this embodiment, the presence of the download status information of a file implies that the download of that file has not been completed. The absence of the download status information implies that the download of the file is completed, [0036]); and

transmitting the attribute request information reacquiring the contents attributes information for altering the attributes of the contents data that correspond to the in-storage contents identification information to the attributes information providing address when it is determined that the in-storage contents identification information is temporarily stored (*If the download status information of the requested file exists indicating incomplete downloading, the CPU 230 transmits this download status information and a download request signal to the contents server 150 (e.g., via the Internet 140 or other network) at step S402 and resumes the downloading of the file from the point at which the download was stopped in the previous download session at step S403. The download status information identifies to the contents server 150 the point in the file from which the download should be resumed, [0036]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Chun with the teachings of Nakayama, as modified by Kuroda, for the purpose of resuming downloading of the file from the point at which the download was stopped in the previous data transfer session even though the data transfer link is broken during

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the downloading of the file due to unexpected network problems or other problems using the download status checker ([Abstract] of Chun).

Regarding **claim 7**, the combination of Nakayama, Kuroda, and Chun, further discloses:

deleting the acquisition/use file when the communicable state is restored from a break of the communication connection with the external apparatus (*The absence of the download status information implies that the download of the file is completed. It is well inherent that after the incomplete file has been completely downloaded, the temporarily stored status checker would be removed as well, [0036] of Chun*);

transmitting a file re-request information requesting the updated acquisition/use file (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085] of Nakayama*);

receiving the updated acquisition/use file corresponding to the file re-request information (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables*

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the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099] of Nakayama);

storing the received updated acquisition/use file (Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080] of Nakayama); and

determining if the contents identification information corresponding to the contents providing address in the updated acquisition/use file is temporarily stored or not (Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]). When the file downloading apparatus 200 starts the user request download procedure, the CPU 230 of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401, [0036] of Chun),

wherein the transmitting contents request information is adapted to transmit the contents request information requesting the contents data corresponding to the contents identification information to the external apparatus when it is determined that the contents identification information is not temporarily stored (In the meantime, when the download status information about the requested file does not exist in the download status checker 250, the CPU

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230 transmits the download request signal to the contents server 150 without the download status information as shown at step S404 so as to download the file from the start of the file, e.g., the byte offset 0, at step S405, [0036] of Chun).

Regarding **claim 8**, Chun further discloses:

determining if the contents attributes identification information corresponding to the contents identification information is temporarily stored or not when it is determined that the contents identification information is temporarily stored (*Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]).* When the file downloading apparatus 200 starts the user request download procedure, the CPU 230 of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401, [0036]).

wherein the transmitting attributes request information is adapted to transmit the attributes request information requesting the contents attributes information corresponding to the contents attributes identification information to the attributes information providing address contained in the updated acquisition/use file when it is determined that the contents attributes identification information is not temporarily stored (*In the meantime, when the download status information about the requested file does not exist in the download status checker 250, the CPU 230 transmits the download request signal to the contents*

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server 150 without the download status information as shown at step S404 so as to download the file from the start of the file, e.g., the byte offset 0, at step S405, [0036]).

Regarding **claim 9**, Nakayama further discloses:

determining if the contents attributes information corresponding to the contents attribute identification information and the contents data corresponding to the contents attributes information are registered in the database or not when it is determined that the contents attributes identification information is temporarily stored (*The version number of the file detected in Step S10 is compared with that of the file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, i.e. the later version has not been registered in the local system, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085]),*

wherein the registering is adapted to register the contents data and the contents attributes information when it is determined that the contents data and the contents attributes information are not registered in the database (*after the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099]).*

Regarding **claim 14**, Nakayama further discloses receiving the attributes request information transmitted when the acquisition start information is temporarily stored and the in-storage contents identification information of the contents data is temporarily stored at the time when the communicable state is restored from a break of the communication connection (*Figure 7 shows the CPU 230 of the mobile terminal stores in the memory 240 or some other storage the temporary file with the download status information lastly detected by the download status checker 250, [0045]*). When the file downloading apparatus 200 starts the user request download procedure, the CPU 230 of the mobile terminal determines whether or not the download status information of a requested file exists in the download status checker 250 at step S401. If the download status information of the requested file exists indicating incomplete downloading, the CPU 230 transmits this download status information and a download request signal to the contents server 150 (e.g., via the Internet 140 or other network) at step S402 and resumes the downloading of the file from the point at which the download was stopped in the previous download session at step S403. The download status information identifies to the contents server 150 the point in the file from which the download should be resumed, [0036]) although the acquisition start information indicating the start of acquisition of the contents data to the external apparatus is temporarily stored and the contents data and the contents attributes information corresponding to the contents data are registered in the database before temporarily storing the acquisition/use file but subsequently the acquisition start information and the in-storage contents identification information

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that are temporarily stored are erased (*The absence of the download status information implies that the download of the file is completed. It is well inherent that after the incomplete file has been completely downloaded, the temporarily stored status checker would be removed as well, [0036]*).

8. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama et al. (Pat. No. US 7,117,253, filed on November 5, 2002; hereinafter Nakayama) over Kuroda (Pat. No. US 6,311,011, published on October 30, 2001), and further in view of Sull et al. (Pub. No. US 2002/0069218, published on June 6, 2002; hereinafter Sull)

Regarding **claim 19**, Nakayama clearly shows and discloses a contents acquisition method (*Figures 9-10*) comprising:

transmitting file request information that requests an acquisition/use file containing a contents providing address corresponding to a request for acquiring contents data stored in an external apparatus and an attributes information providing address (*when a request to acquire the delivery information 2bb is made from information browsing means 1a with respect to the request relaying means 1c, the request relaying means 1c receives the request and analyzes its content, [0035]. Figure 8 shows the control file of the server computer side that has the host name for accessing the contents 14b or 14c, [0066]-[0067]*);

receiving the acquisition/use file corresponding to the file request information (*The request relaying means 1c then acquires the server-side control file 2ba managed by the*

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server 2a with respect to which the request has been made, as well as the local-side control file 1ba in the duplicate information storing means 1b, [0035]);

storing the acquisition/use file received (both the sever-side control file 2ba and local-side control file 1ba are retrieved and stored on local computer 1 since the request relaying means 1c is contained within the local computer, [0035]);

determining if contents identification information corresponding to the contents providing address in the acquisition/use file is registered in a database or not (The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison. Note that the local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]);

transmitting contents request information for requesting the contents data corresponding to the contents identification information to the external apparatus if it is determined that the contents identification information is not registered in the database

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(The local computer 1 also includes request relaying means 1c which, on receiving a request to acquire the delivery information 2bb stored in the delivery information storing means 2b, acquires the server-side control file 2ba and the local-side control file 1ba, compares the attribute information of the requested delivery information 2bb with the attribute information of the duplicate information 1bb corresponding to the requested delivery information 2bb, and determines information to be acquired in accordance with the result of comparison, [0034]. It is well inherent that if the delivery information 2bb is not duplicated in storing means 1b, the request will be directed to sever computer 2);

receiving the contents data transmitted from the external apparatus as a result of transmitting the contents request information to the external apparatus (In response to a request from the local computer 10, the WWW server 21 sends the control file 23a or HTTP content 23b in the database 23. The streaming server 22 sends the control file 24a in the database 24 in response to a request from the local computer 10, and also sends a streaming content 24b in response to a request from the streaming player 12 of the local computer 10, [0046]);

storing the contents identification information as in-storage contents identification information when it is determined that the contents identification information is registered in the database (Figure 9 shows that in Step 11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080]);

transmitting attributes request information for requesting contents attributes information for altering the attributes of the contents data corresponding to the in-storage contents identification information to the attributes information providing address in the acquisition/use file when the temporarily storing of the in-storage contents identification information is completed (*Figure 9 shows that at Step S15 the version number of the local file detected in Step S10 is compared with that of the server file detected in Step S14, to determine whether or not the server-side file has a later version number. If the server-side file is of a later version, the flow proceeds to Step S16; if not, the flow proceeds to Step S22, [0085];*

receiving the contents attributes information corresponding to the attributes request information (*After the local-side and server-side control files are acquired, the version numbers of all associated contents are compared with each other. Then, all those contents in the server which are judged to be of later version are acquired and stored in the local-side recording medium. This enables the local computer 10 to handle the latest contents even while the local computer 10 is thereafter used off-line, [0099];*

storing the contents attributes identification information corresponding to the contents attributes information after the completion of the reception of the contents attributes information in the receiving the contents attributes information (*Figure 9 shows that in step S11, the server-side control file name corresponding to the set of the hostname and the base pathname detected in Steps S8 and S9 is extracted from the control file 14a, and the control file is acquired from a corresponding server, [0080];*

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registering the contents data and the contents attributes information in the database (*The local computer 1 includes duplicate information storing means 1b which stores duplicate information 1bb corresponding to the delivery information 2bb in the delivery information storing means 2b and a local-side control file 1ba in which are registered location information indicative of a location within the delivery information storing means 2b where the duplicate information 1bb existed and attribute information of the duplicate information 1bb, [0034]*); and

Nakayama does not explicitly disclose the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database, and storing the contents identification information as in-storage contents identification information when the reception of the contents data is completed.

However, Kuroda discloses the steps of temporarily storing the received files/information and deleting the temporarily stored information after the completion of the registration of the contents data and the contents attributes information in the database (*the video recorder/player records all of content signals in the storage device 105 via the temporary storage device 103. All of content signals are recorded to the temporary storage device 103. After completion of recording all of content signals to the temporary storage device 103, the content signals are copied into the storage device 105. After the video recorder/player has finished recording to the temporary storage device 103 at STEP S301, the video recorder/player moves the content signals from the temporary storage device 103 into the storage device selected at STEP S107 (STEP S302). The*

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content signals recorded to the temporary storage device 103 may be deleted after completion of or in parallel with copying the content signals to the selected storage device, [Column 6, Lines 36-52]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Kuroda with the teachings of Nakayama for the purpose of providing a fast and efficient way to access multimedia contents by facilitating the use of an electronic program guide ([Abstract] of Kuroda).

Nakayama, as modified by Kuroda, does not disclose storing the contents identification information as in-storage contents identification information when the reception of the contents data is completed.

However, Sull discloses storing the contents identification information as in-storage contents identification information when the reception of the contents data is completed (*after the video and metafile are transferred from the network controller 4220 to user, the file controller 4222 reads the video file as well as the metafile in the local computer, or the video file and the metafile transferred by the network. The metafile read from the file controller is transferred to the XML parser 4224. After the XML parser validates whether the transferred metadata are well-formed according to XML syntax, the metadata is stored to input buffer 4226, [0478]).*

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Sull with the teachings of Nakayama, as modified by Kuroda, for the purpose of interrogating images that contain textual information (in graphical form) so that the text may be copied to a tag or bookmark

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that can itself be indexed and searched to facilitate later retrieval via a search engine

([Abstract] of Sull).

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday – Friday (7:00 AM – 4:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Christian Chace can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. T. H. /
Examiner, Art Unit 2165
December 29, 2008

/Neveen Abel-Jalil/
Primary Examiner, Art Unit 2165